

FORTIETH DAY

(Tuesday, March 19, 1957)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Bills and Resolutions Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills and resolutions:

H. B. No. 91, A bill to be entitled "An Act amending House Bill No. 190, Acts of the 46th Legislature, Regular Session, 1939, page 246, as amended, codified as Article 567b, as Vernon's Penal Code and commonly known as the Hot Check Law, by adding a new section defining offenses relating to the making, drawing, uttering, or delivering of a check, draft or order for payment of wages or salaries for personal service without sufficient funds; and declaring an emergency."

H. B. No. 48, A bill to be entitled "An Act providing for fixing the compensation of judges of district courts in districts consisting of three or more counties; providing the manner of payment; establishing a limitation of amount of such compensation; pro-

viding for the validity of the remaining portion of Act if any part declared unconstitutional; and declaring an emergency."

H. C. R. No. 14, Requesting the Texas Legislative Council to prepare and distribute to Members of the Legislature a summary report of information it has compiled and published on the State's tax structure.

H. C. R. No. 28, Granting Hugh M. Glover of Wichita County, Texas, permission to sue the State of Texas and the Adjutant General's Department.

H. C. R. No. 41, Inviting the Melody Maids of Beaumont to give a concert to a Joint Session on April 8, 1957, at 11:00 a.m.

Reports of Standing Committees

Senator Owen submitted the following reports:

Austin, Texas,
March 18, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 406, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Austin, Texas,
March 18, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 344, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Senator Weinert submitted the following reports:

Austin, Texas,
March 18, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. B. No. 143, have had the same under consideration, and we are instructed to report it back to the Sen-

ate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,
March 18, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. C. R. No. 41, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,
March 18, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. B. No. 213, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,
March 18, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. B. No. 353, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass with attached committee amendment and be printed.

WEINERT, Chairman.

Austin, Texas,
March 18, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred H. C. R. No. 32, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,
March 18, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred

S. B. No. 313, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass with attached committee amendment and be printed.

WEINERT, Chairman.

Austin, Texas,
March 18, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. B. No. 264, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass with attached committee amendment and be printed.

WEINERT, Chairman.

Austin, Texas,
March 18, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. B. No. 324, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the Senate Committee Substitute Bill, attached hereto, do pass in lieu thereof, and be printed.

WEINERT, Chairman.

C. S. S. B. No. 324 was read first time.

Austin, Texas,
March 18, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. B. No. 63, have had the same under consideration and we are instructed to report it back to the Senate with the recommendation that it do pass with attached committee amendments and be printed.

WEINERT, Chairman.

Austin, Texas,
March 18, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred H. B. No. 189, have had the same under consideration, and we are instructed to report it back to the Sen-

ate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Senator Lane submitted the following report:

Austin, Texas,
March 19, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We your Committee on State Affairs, to whom was referred S. B. No. 229, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Senator Owen submitted the following reports:

Austin, Texas,
March 18, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 405, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Austin, Texas,
March 18, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 394, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Austin, Texas,
March 18, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 398, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Senate Resolution 241

Senator Parkhouse offered the following resolution:

Whereas, We are honored today to have in the gallery the 7th through 12th grade students of the Greenhill School for Boys and Girls in Dallas, accompanied by their teachers, Mrs. R. W. Fulkerson, Mr. Bill D. Hickman, and Mr. David G. Hunt; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, These fine young American citizens are here to observe and learn first-hand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly indorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Parkhouse by unanimous consent presented the students and their teachers to the Members of the Senate.

Senate Resolution 242

Senator Moore offered the following resolution:

Whereas, The Senate is honored today by having Joe Fitzgerald as a guest; and

Whereas, This fine young man is a student of Casis Elementary School and a member of Den Five of the Cub Scouts of America; and

Whereas, He is visiting the Senate of Texas to learn at firsthand the working of his state government; now, therefore, be it

Resolved, That Joe Fitzgerald be granted the privileges of the floor, and that he be elected an honorary page for the day.

The resolution was read and was adopted.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
March 19, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 13, Requesting the Texas Legislative Council to study the Texas Constitution and make recommendations concerning revision and providing for the appointment of a Citizens Advisory Commission on the Constitution.

H. C. R. No. 37, Granting the Tree "T" Fleet, Incorporated, permission to sue the State.

H. C. R. No. 56, Pertaining to air-conditioning the Senate Chamber.

H. C. R. No. 55, Pertaining to the air-conditioning of the House of Representatives.

H. C. R. No. 59, Congratulating Knights of Columbus on their 75th Anniversary of the Granting of the Charter to the Knights of Columbus.

H. C. R. No. 61, Respectfully requesting the return from Governor of H. B. No. 145.

Respectfully, submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives.

Senate Bill 411 on First Reading

Senator Phillips moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

Absent

Hazlewood

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Phillips:

S. B. No. 411, A bill to be entitled "An Act amending Chapter 511, Acts 1955, 54th Legislature, Regular Session, by increasing the land area within jurisdiction of said Act, and declaring an emergency."

To the Committee on Water and Conservation.

Senate Bill 412 on First Reading

Senator Phillips moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Phillips:

S. B. No. 412, A bill to be entitled "An Act authorizing the appointment of bailiffs in every County in this State which comprises a part of two Judicial Districts each of which Districts consists of four and the same four Counties, which four Counties have a combined population of not less than 136,000 according to the last preceding Federal Census; providing for salaries for such bailiffs and the manner of payments thereof; designating the funds from which such payments shall be made; designating the duties to be performed; providing for the removal of such bailiffs; providing for said bailiffs to be deputized, and declaring an emergency."

To the Committee on Counties, Cities and Towns.

Senate Bill 413 on First Reading

Senator Phillips moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Phillips:

S. B. No. 413, A bill to be entitled "An Act prohibiting a city, town and municipality from annexing any territory situated outside the corporate limits of such city, town or municipality when such territory extends across any county line; providing that no city, town or municipality shall have any jurisdiction over any territory outside the corporate limits of such city, town or municipality when such territory extends across a county line; providing a repealing clause; providing a severability clause and declaring an emergency."

To the Committee on State Affairs.

Senate Concurrent Resolution 46

Senator Moore offered the following resolution:

S. C. R. No. 46, Recognizing and commending Sportsmen's Club of Texas, better known as SCOT.

Whereas, Traditionally, one week is designated each spring to observe Wildlife Week; and

Whereas, This week Wildlife Week has a dual significance in Texas since it also marks the formal launching of

Capitol City State headquarters for Sportsmen's Clubs of Texas; and

Whereas, The appearance of SCOT means beginning of a new era in Texas which not only has the greatest range of terrain but also the greatest variety of wild animals, song birds and game birds and fishes; and

Whereas, SCOT is dedicated to the proper utilization or conservation of our vanished natural resources and, as a privately supported institution, deserves the maximum consideration of all Texans; and

Whereas, Every available agency should recognize this noble cause since the rapidly growing pressure on wildlife of all kinds parallels an alarming decrease in habitat for game and fish alike; and

Whereas, More trained personnel and additional facilities are required by the acknowledged authorities to assure preservation of our natural heritage; now, therefore, be it

Resolved, That formation of SCOT, with its contacts in practically every Texas Community, assures blending of the legislative processes with the administrative phase through its vast educational ties, linked with a combined membership running into the thousands; and be it further

Resolved, That the Senate of the State of Texas, the House of Representatives concurring, state formal recognition of this noble privately sponsored enterprise which promises to put our vast recreational facilities in their proper focus and to influence a more stable treatment of our precious natural resources.

The resolution was read.

On motion of Senator Moore and by unanimous consent the resolution was considered immediately and was adopted.

Senate Resolution 243

Senator Fuller offered the following resolution:

Whereas, Basketball is the only completely American invented major sport played throughout the world, and

Whereas, The competition within the State of Texas is climaxed by a State Tournament every year to determine a champion, and

Whereas, This year's Class AAAA champions are the fine team from Thomas Jefferson High School of Port Arthur, Texas, and

Whereas, These Port Arthur Yellow Jackets and their fine coach, Mr. Pete Pense, capped off an excellent season by winning their last sixteen games to carry the Maroon and Gold colors to the Class AAAA championship for the first time in the history of the school, therefore, be it

Resolved, By the Senate of Texas, that official recognition be given the members of this team, their coach, trainer, and student managers for the sterling teamwork and good sportsmanship that make up true champions, be it further

Resolved, That a copy of this resolution be mailed to members of the team, their coach, trainer, and student managers.

The resolution was read and was adopted.

Senate Resolution 244

Senator Lock offered the following resolution:

Whereas, The Buna Cougars recently won their third State Basketball Championship, and

Whereas, The faculty and student body of the Buna High School should be commended for this high accomplishment, and

Whereas, Coach Cotton Robinson has taught this team the finest in basketball skill and, in addition, the highest principles of sportsmanship, and

Whereas, The Cougars have won sixty-six (66) consecutive games to become the State Championship Team; now, therefore, be it

Resolved by the Senate of the State of Texas that congratulations be extended to each member of the team, and, be it further

Resolved, That copies of this Resolution be sent to each of the players and to Coach Robinson.

The resolution was read and was adopted.

Senate Concurrent Resolution 47

Senator Phillips offered the following resolution:

S. C. R. No. 47, Granting Agricultural and Mechanical College to accept land and building in Galveston County for Marine research.

Whereas, The Department of Oceanography and Meteorology of the Agricultural and Mechanical College of

Texas has a Marine Laboratory presently located in a building on the University of Texas Medical Branch Campus at Galveston; and

Whereas, The building has been condemned and it is necessary that it be vacated because of its unsatisfactory condition and its ill-arranged space; and

Whereas, If suitable facilities can be obtained the program of the Marine Laboratory can be expanded to provide space for visiting scientists who wish to work along the beach, space for facilities for special classes in marine biology and oceanography, opportunity for closer cooperation with the large and active Marine Laboratory of the United States Fish and Wildlife Service, ready access to the beach on the open Gulf which would greatly simplify collecting and observing activities of the Department, space for shore activities related to the operation of the research vessel "A. A. Jakkula" which is operated from Galveston by the Department, and space for conducting research projects requiring proximity to the bays and the open Gulf; and

Whereas, The United States Department of Health, Education and Welfare is willing to assign and transfer Building No. 311 and the land underlying it and adjacent thereto, required for reasonable use of the building, a part of the Fort Crockett Installation, Galveston, to the Agricultural and Mechanical College of Texas for educational use in the study and educational research in marine life; and

Whereas, It has been determined that Building No. 311 meets the needs of the said Department of Oceanography and Meteorology, that it is in good physical condition and will require a minimum of modification, will provide for sufficient activities; the location of the building is ideal as a permanent base for marine operations of the Agricultural and Mechanical college of Texas and such a shore base is essential for the operation of the Department of Oceanography and Meteorology and Building No. 311 will provide the needed facilities for the development of such shore bases; and

Whereas, Payment of most of the maintenance and operation cost will be made from sponsored research funds; and

Whereas, It has been determined

that there will be no increased cost to the State General Revenue Fund for the maintenance and operation of the new and larger facility; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, That the Board of Directors of the Agricultural and Mechanical College of Texas, be, and it is hereby given permission to accept from the United States Department of Health, Education, and Welfare, Building No. 311 and the land underlying it and adjacent thereto, required for reasonable use of the building, a part of the Fort Crockett Installation, Galveston, for educational use in the study and educational research in marine life.

The resolution was read.

On motion of Senator Phillips and by unanimous consent the resolution was considered immediately and was adopted.

Senate Resolution 245

Senator Ashley offered the following resolution:

Whereas, We are honored today to have in the gallery 35 students of the 7th Grade Class of the Bandera Elementary School, accompanied by Mrs. L. R. Vaughn, teacher; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens is here to observe and learn firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Ashley by unanimous consent presented the students and Mrs. Vaughn to the Members of the Senate.

Senate Resolution 246

Senator Fly offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the 7th Grade Texas History Class of the Cuero Junior High School, of Cuero, Texas, accompanied by their teachers, Mrs. Adele Larson and Mrs. Paul Lang; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Fly by unanimous consent presented the students and their teachers to the Members of the Senate.

Senate Resolution 247

Senator Herring offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the 5th Grade Class of Travis Heights Elementary School in Austin, Travis County, Texas, accompanied by their teacher, Mrs. Pauline Pridgeon; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to their class in recognition of their visit.

The resolution was read and was adopted.

Senator Herring by unanimous consent presented the students and Mrs. Pridgeon to the Members of the Senate.

Senate Resolution 248

Senator Herring offered the following resolution:

Whereas, The Honorable Prasit Srisuchat, Chief of the Assembly Division, Office of the Secretariat, House of Representatives of Thailand, is visiting Texas to study the systems and procedures of the State Legislature; and

Whereas, Mr. Srisuchat's visit is sponsored by the United States International Co-operation Administration; now, therefore, be it

Resolved, That Mr. Srisuchat be presented to the Texas Senate and be accorded the privileges of the floor in order to observe more closely the operations of this Body.

The resolution was read and was adopted.

Senator Herring by unanimous consent presented Mr. Srisuchat to the Members of the Senate.

Senate Concurrent Resolution 28 with House Amendments

Senator Bradshaw called S. C. R. No. 28 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Bradshaw moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

House Concurrent Resolution 61 on Second Reading

On motion of Senator Owen and by unanimous consent the President laid before the Senate for consideration at this time the following:

H. C. R. No. 61, Recalling H. B. No. 145 from the Governor for correction.

The resolution was read and was adopted.

Senate Bill 188 on Second Reading

On motion of Senator Lock and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 188, A bill to be entitled "An Act amending the Uniform Narcotic Drug Act, Chapter 169, Acts of the Forty-fifth Legislature, Regular Session, as amended, by amending Section 23, providing penalties for violation of said Act; and declaring an emergency."

The bill was read second time.

Senator Lock offered the following amendment to the bill:

Amend Senate Bill No. 188 by striking out all below the enacting clause and substituting in lieu thereof the following:

Section 1. Sec. 2 of the Uniform Narcotic Drug Act, Chapter 169, Acts of the Forty-fifth Legislature, Regular Session, as heretofore amended (codified as Sec. 2 of Article 725b, Vernon's Penal Code), is hereby amended so as to read hereafter as follows:

"Sec. 2. (1) It shall be unlawful for any person to manufacture, possess, have under his control, sell, offer to sell, give away, offer to give away, furnish, offer to furnish, peddle, prescribe, administer, offer to administer, dispense, offer to dispense, or compound any narcotic drug.

"(2) It shall be unlawful for any person to possess an opium pipe, instrument, or contrivance used in smoking a narcotic drug.

"(3) It shall be unlawful for any adult person to hire, employ, aid, abet, encourage, or use a minor under nineteen (19) years of age, either with or without the knowledge or consent of

such minor, in transporting, carrying, handling, or preparing for sale any narcotic drug.

"(4) The provisions of subsection (3) immediately above shall not apply, and the acts therein listed shall not be unlawful, in instances where the transporting, carrying, handling, or preparing for sale of a narcotic drug is permitted or authorized by this Act.

"(5) It shall be unlawful for any person except a physician, dentist, veterinarian, nurse, pharmacist, dealer in surgical instruments, or an attendant or intern of a hospital, sanatorium, or institution in which persons are treated for disability or disease, at any time to have or possess a hypodermic syringe or needle or any instrument adapted for the use of narcotic drugs by subcutaneous injections in a human being and which is possessed for that purpose, unless such possession is for the purpose of subcutaneous injection of a drug or drugs, or medicine, the use of which is authorized by the direction of a licensed physician.

"(6) Nothing in this Act shall apply to any hypodermic syringe or needle, or other instrument or paraphernalia used for the purpose of vaccinating or otherwise treating livestock."

Sec. 2. Sec. 2A of the Uniform Narcotic Drug Act, Chapter 169, Acts of the Forty-fifth Legislature, Regular Session, as heretofore amended (codified as Sec. 2A of Article 725b, Vernon's Penal Code), is hereby amended so as to read hereafter as follows:

"Sec. 2A. It shall not be unlawful to manufacture, possess, have, control, sell, offer to sell, give away, offer to give away, furnish, offer to furnish, prescribe, administer, offer to administer, dispense, offer to dispense, or compound any narcotic drug or any hypodermic syringe, needle or other instrument adapted to the use of narcotic drugs where same is authorized under the terms of this Act."

Sec. 3. Sec. 23 of the Uniform Narcotic Drug Act, Chapter 169, Acts of the Forty-fifth Legislature, Regular Session, as heretofore amended (codified as Sec. 23 of Article 725b, Vernon's Penal Code), is hereby amended so as to read hereafter as follows:

"Sec. 23. (1) Any person who unlawfully sells, gives away, peddles, or offers to sell any narcotic drug except

Cannabis, as the same is defined by this Act, shall upon conviction, be punished by confinement in the State penitentiary for life or for any term of years not less than twenty (20); and upon the second or any subsequent conviction for any of the above offenses he shall be punished by death or confinement in the State penitentiary for life.

"(2) Any adult person who unlawfully hires, employs, aids, abets, encourages, or uses a minor under nineteen (19) years of age in transporting, carrying, handling, or preparing for sale any narcotic drug, or who unlawfully furnishes, administers, or offers to furnish, give or administer any narcotic drug to a minor under nineteen (19) years of age, shall, upon conviction, be punished by confinement in the State penitentiary for life or for any term of years not less than (5); and upon the second or subsequent conviction therefor he shall be punished by confinement in the State penitentiary for life or for any term of years not less than ten (10).

"(3) Except as otherwise provided in subsections (1) and (2) immediately above, any person violating any provision of the Uniform Narcotic Drug Act shall, upon conviction, be punished by confinement in the State penitentiary for life or for any term of years not less than two (2); and upon the second or any subsequent conviction therefor he shall be punished by confinement in the State penitentiary for life or for any term of years not less than ten (10).

"(4) The benefit of the suspended sentence law shall not be available to a person convicted of a violation of any provision of the Uniform Narcotic Drug Act; provided, however, that any person convicted of a first offense violation of said Act shall be entitled to the benefits of probation under the Adult Probation and Parole Law, as provided therein."

Sec. 4. All laws or parts of laws in conflict with any provision of this Act are repealed hereby to the extent only of such conflict.

Sec. 5. The importance of this Act and the need for imposing more severe penalties on certain violators of the Uniform Narcotic Drug Act create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be

suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

Senator Lock offered the following amendment to the bill:

Amend Senate Bill No. 188 by striking out all above the enacting clause and substituting in lieu thereof the following:

A BILL

To be entitled

"An Act amending the Uniform Narcotic Drug Act, Chapter 169, Acts of the Forty-fifth Legislature, Regular Session, as amended, by amending Sec. 2, specifying the acts prohibited, by amending Sec. 2A, specifying when certain acts are not unlawful, and by amending Sec. 23, providing penalties for violations of said Act; repealing all laws in conflict; and declaring an emergency."

The amendment was adopted.

The bill as amended passed to engrossment.

Senate Bill 188 on Third Reading

Senator Lock moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that Senate Bill No. 188 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Resolution 249

Senator Parkhouse offered the following resolution:

Whereas, Mr. J. L. Latimer of Dallas, an outstanding civic leader and churchman, is today to be awarded the National Brotherhood Citation by the National Conference of Christians and Jews in recognition of his contributions to the religious, civic, educational and business life to his state; and

Whereas, This outstanding citizen of Dallas has been an inspiration, not only to the people of Dallas, but to the State and Nation as a whole, for his activity in civic and Christian work; and

Whereas, Mr. Latimer is president of the Magnolia Petroleum Company, Chairman of the Board of the Magnolia Pipe Line Company, a Director of the Republic National Bank of Dallas, the Southwestern Life Insurance Company and Texas Utilities Company; an official of the Grand Opera Association; a director of the Texas Research League; Vice-president of the Dallas Community Chest Trust Fund and a sponsor of the Junior Achievement of Dallas; a Director and member of the Executive Committee of the Texas Mid-Continent Oil and Gas Association and received its Distinguished Service Award for outstanding service to the petroleum industry in 1952; a Trustee of the Southwestern Medical Foundation; a past Director of the Southwestern Legal Foundation, the East Texas Chamber of Commerce and the Dallas Inter-Racial Association. He is a layman in the Catholic Church, and past President of the Diocesan Board of Governors of Catholic Charities, and has been named by the Pope as lieutenant and Knight Grand Cross of the Equestrian Order of the Holy Sepulchre; and now, therefore be it

Resolved, That this outstanding citizen of Texas be commended for his Christian, charitable and civic work and that the Senate of the 55th Legislature extend our congratulations to Mr. Latimer for having been selected to receive this high honor by the National Conference of Christians and Jews; and, be it further

Resolved, That this Resolution be printed in today's journal and a copy of same be transmitted to Mr. Latimer.

PARKHOUSE
KAZEN
HERRING

The resolution was read and was adopted.

Senator Parkhouse by unanimous presented Mr. Latimer to the Members of the Senate.

Senate Resolution 250

Senator Weinert offered the following resolution:

Whereas, We are honored today to have in the gallery 67 students of the American History and Civics Classes of the Luling High School of Luling, Caldwell County, accompanied by Mr. W. Z. Miller, Jr., Principal and Mr. G. L. Dunham; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, These fine young American citizens are here to observe and learn first-hand the workings of their State Government; Now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly indorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Weinert by unanimous consent presented the students, Mr. Miller and Mr. Dunham to the Members of the Senate.

Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolutions:

S. C. R. No. 42, Relating to Rice Week March 10-16.

S. C. R. No. 43, A resolution endorsing the objectives of the Loyalty Day Program of the Veterans of Foreign Wars.

Senate Bill 184 on Second Reading

On motion of Senator Herring and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 184, A bill to be entitled

"An Act prescribing the maximum salaries that may be paid certain precinct officials named in this Act; providing the method of fixing the salaries of these officials; etc., and declaring an emergency."

The bill was read second time.

Senator Herring offered the following amendment to the bill:

Amend Senate Bill No. 184 by striking out all of Section 6 thereof and substituting in lieu thereof the following:

"Section 6. The provisions of this Act shall be applicable only to Justices of the Peace and Constables."

The amendment was adopted.

Senator Fuller offered the following amendment to the bill:

Amend S. B. No. 184 to strike out the words "provided, however, that no salary shall be set at a figure lower than that actually paid for the calendar year 1956" wherever it appears in the bill.

The amendment was adopted.

Senator Fly offered the following amendment to the bill:

Amend S. B. No. 184 by changing the figure \$7000.00 to \$7300.00 in Section 3.

The amendment was adopted.

On motion of Senator Herring and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended passed to engrossment.

Senate Bill 184 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 184 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Gonzalez
Bracewell	Hardeman
Bradshaw	Hazlewood
Colson	Herring
Fly	Hudson
Fuller	Kazen

Krueger	Ratliff
Lane	Reagan
Lock	Roberts
Martin	Rogers
Moffett	Secrest
Moore	Smith
Owen	Weinert
Parkhouse	Willis
Phillips	Wood

Absent

Ashley

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—2

Martin

Roberts

Senate Bill 343 on Second Reading

On motion of Senator Weinert and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 343, A bill to be entitled "An Act to amend Article 2, of Subchapter 9, of Chapter 97, Page 164, of the Acts of the Regular Session of the 48th Legislature, 1943 (Article 342-902, Vernon's Annotated Civil Statutes), prohibiting the business of banking except by corporations; limiting the use of the word 'bank' and related names in advertising; providing for the continuation of the existence of private banks; prescribing penalties for violation by those doing a banking business other than a corporation authorized so to do or for improper advertising; providing a

severability clause; repealing all other laws or parts of laws in conflict herewith; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 343 on Third Reading

Senator Weinert moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that Senate Bill No. 343 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Bracewell	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

Absent

Ashley

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 252 on Second Reading

On motion of Senator Roberts and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 252, A bill to be entitled "An Act prohibiting littering upon certain public places, defining the offense, providing a penalty, and declaring an emergency."

The bill was read second time.

Senator Roberts offered the following amendment to the bill:

Amend S. B. No. 252 by adding the

word "public" after the word "any" and before "watercourse."

The amendment was adopted.

Senator Roberts offered the following amendment to the bill:

Amending S. B. 252 by adding a new Section 3 and renumbering succeeding sections:

"Section 3. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed to the extent of conflict only."

The amendment was adopted.

On motion of Senator Roberts and by unanimous consent the caption was amended to conform to body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 252 on Third Reading

Senator Roberts moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that Senate Bill No. 252 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Bradshaw
Ashley	Colson
Bracewell	Fly

Fuller	Owen
Gonzalez	Parkhouse
Hardeman	Phillips
Hazlewood	Ratliff
Herring	Reagan
Hudson	Roberts
Kazen	Rogers
Krueger	Secrest
Lane	Smith
Lock	Weinert
Martin	Willis
Moffett	Wood
Moore	

Report of Standing Committee

Senator Parkhouse by unanimous consent submitted the following report:

Austin, Texas,
March 19, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 411, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Senate Bill 6 on Second Reading

On motion of Senator Parkhouse and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 6, A bill to be entitled "An Act requiring persons to obtain permits to drill injection wells, or to convert existing wells into injection wells, for the disposal of industrial and municipal waste; defining certain terms; designating the Board of Water Engineers as the permit issuing agency for all injection wells, etc.; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 6 on Third Reading

Senator Parkhouse moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that Senate Bill No. 6 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

Nays—1

Bradshaw

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Presentation of Guests

Senator Ratliff by unanimous consent presented Joe Pond, Jesse Thornton, R. E. McKinney, Wendell Parks and E. P. Driver to the Members of the Senate.

Senate Bill 237 on Second Reading

On motion of Senator Krueger and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 237, A bill to be entitled "An Act to amend Article 3930 of the Revised Civil Statutes of Texas, 1925, as amended by Acts 1945, 49th Legislature, Regular Session, Chapter 368, Page 662, Section 4, relating to fees which the clerks of the County Courts shall receive for their services; containing a repealing clause and a saving clause; and declaring an emergency."

The bill was read second time and passed to engrossment.

Motion to Place Senate Bill 237 on Third Reading

Senator Krueger moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that

Senate Bill No. 237 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—23

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Colson	Parkhouse
Fuller	Phillips
Gonzalez	Reagan
Hazlewood	Rogers
Herring	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	

Nays—6

Bradshaw	Owen
Fly	Ratliff
Hardeman	Roberts

Absent

Hudson	Wood
--------	------

Senate Resolution 251

Senator Hardeman offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Mr. Luther Herring of Waco, Texas, the father of our distinguished colleague, the Senator from Travis; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Hardeman by unanimous consent presented Mr. Herring to the Members of the Senate.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
March 19, 1957.

Hon. Ben Ramsey, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 133, Appropriating money for the support of the Judicial, Executive, and Legislative branches of the State Government, and for State aid to designated public junior colleges, for the two-year period beginning September 1, 1957, and ending August 31, 1959; authorizing and prescribing conditions, limitations, rules, and procedures for allocating the appropriated funds; and declaring an emergency.

H. C. R. No. 67, Requesting the return of House Bill No. 79.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives.

Senate Bill 403 on Second Reading

On motion of Senator Willis and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 403, A bill to be entitled "An Act to establish the Probate Court of Tarrant County; to define the jurisdiction thereof and to conform to such change the jurisdiction of the County Court of Tarrant County; etc.; and declaring an emergency."

The bill was read second time.

Senator Willis offered the following committee amendment to the bill:

Amend S. B. No. 403, Section 14, by striking out the word "less" between the words "not" and "than" and substitute in lieu thereof the word "more."

The committee amendment was adopted.

The bill was read second time and passed to engrossment.

Senate Bill 403 on Third Reading

Senator Willis moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that Senate Bill No. 403 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin

Ashley

Bracewell
Bradshaw
Colson
Fly
Fuller
Gonzalez
Hardeman
Hazlewood
Herring
Hudson
Kazen
Krueger
Lane
Lock

Martin
Moffett
Moore
Owen
Parkhouse
Phillips
Ratliff
Reagan
Roberts
Rogers
Secrest
Smith
Weinert
Willis

Absent

Wood

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin
Ashley
Bracewell
Bradshaw
Colson
Fly
Fuller
Gonzalez
Hazlewood
Herring
Hudson
Kazen
Krueger
Lane
Lock

Martin
Moffett
Moore
Owen
Parkhouse
Phillips
Ratliff
Reagan
Roberts
Rogers
Secrest
Smith
Weinert
Willis

Nays—1

Hardeman

Absent

Wood

Committee Substitute Senate Bill 110 on Second Reading

On motion of Senator Hazlewood and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 110, A bill to be entitled "An Act amending Acts, 1929, Forty-first Legislature, Second Called Session, Page 172, Chapter 88, Section 2, as amended (codified as Article 6675a-2, Vernon's Annotated Civil Statutes, as amended)."

The bill was read second time and was passed to engrossment.

Committee Substitute Senate Bill 110 on Third Reading

Senator Hazlewood moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that Senate Bill No. 110 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis

Absent

Wood

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis

Absent

Wood

Senate Bill 405 Ordered Not Printed

On motion of Senate Phillips and

by unanimous consent S. B. No. 405 was ordered not printed.

Senate Bill 405 on Second Reading

On motion of Senator Phillips and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 405, A bill to be entitled "An Act creating Brazoria County Road District No. 34 of Brazoria County; etc.; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 405 on Third Reading

Senator Phillips moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that Senate Bill No. 405 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Bradshaw	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis

Absent

Wood

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Colson
Ashley	Fly
Bracewell	Fuller
Bradshaw	Gonzalez

Hardeman	Owen
Hazlewood	Parkhouse
Herring	Phillips
Hudson	Ratliff
Kazen	Reagan
Krueger	Roberts
Lane	Rogers
Lock	Secrest
Martin	Smith
Moffett	Weinert
Moore	Wood

Nays—1

Willis

Bill Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill:

H. B. No. 7, A bill to be entitled "An Act relating to admissions taxes on places of amusement; etc., and declaring an emergency."

House Bill on First Reading

The following bill received from the House today was read first time and referred to the committee indicated:

H. B. No. 133, To the Committee on Finance.

Special Notice

Senator Willis gave notice that he would on tomorrow move to suspend the necessary rules to take up H. B. No. 134.

Adjournment

On motion of Senator Hardeman the Senate at 12:10 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

FORTY-FIRST DAY.

(Wednesday, March 20, 1957)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Hudson
Bracewell	Kazen
Bradshaw	Krueger
Colson	Lane
Fuller	Lock
Gonzalez	Martin
Hardeman	Moffett
Hazlewood	Moore
Herring	Owen

Parkhouse	Secrest
Ratliff	Smith
Reagan	Weinert
Roberts	Willis
Rogers	Wood

Absent—Excused

Ashley	Phillips
Fly	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Fly was granted leave of absence for today on account of important business on motion of Senator Roberts.

Senator Ashley was granted leave of absence for today on account of important business on motion of Senator Kazen.

Senator Phillips was granted leave of absence for today on account of important business on motion of Senator Fuller.

Reports of Standing Committees

Senator Bracewell submitted the following reports:

Austin, Texas,
March 20, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred S. B. No. 273, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BRACEWELL, Chairman.

Austin, Texas,
March 20, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred S. B. No. 272, have had the same under consideration, and we are instructed to report it back to the Senate with the